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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ARIZONA

AUTODESK, INC., a Delaware
corporation,

Plaintiff,

vs.

DASSAULT SYSTEMES SOLIDWORKS
CORPORATION, a Delaware corporation,

Defendant.

No. 2:09-mc-00096

(United States District Court Northern
District of California Case No. 3:08-cv-
04397-WHA)

**NON-PARTY OPEN DESIGN
ALLIANCE'S RESPONSE TO
AUTODESK, INC.'S MOTION TO
COMPEL**

Non-party Open Design Alliance (“ODA”) responds to Autodesk, Inc.’s
(“Autodesk”) Motion to Compel as set forth in ODA’s Motion for Protective Order

1 which is filed contemporaneously with this Response and hereby incorporated by this
2 reference.

3 To summarize, the ODA moves this Court for a protective order quashing the
4 subpoena served by Autodesk or, in the alternative, limiting the scope of discovery
5 sought by Autodesk to matters that are not duplicative of documents and testimony
6 already obtained by Autodesk in ongoing litigation between Autodesk and the ODA. The
7 ODA also requests that, should the subpoena not be quashed, that the Court order
8 Autodesk to pay its reasonable expenses incurred in responding to the subpoena. In any
9 event, the ODA requests that the Court order Autodesk to reimburse the ODA for its
10 attorneys' fees associated with the present motion as well as responding to Autodesk's
11 Motion to Compel.
12

13 DATED this 15th day of September, 2009
14

15 **JACKSON WHITE PC**

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24 COPY of the foregoing sent via email
25 and mail this 15th day of September, 2009, to:

26 / / /
27
28

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15 By: /s/ Pam Brimhall
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